

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TYCO HEALTHCARE GROUP LP

Plaintiff,

v.

MEDICAL PRODUCTS, INC.

Defendant.

Civil Action No. 1:04-cv-11524-DPW

**CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)**

Pursuant to Local Rule 16.1(D)(3), Defendant Medical Products, Inc. ("MPI") and its counsel hereby certify that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4. At the current time, it is MPI's desire to proceed with a jury trial.

Respectfully submitted,

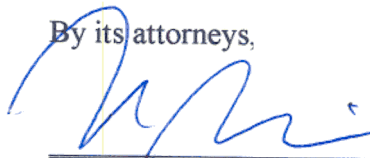
MEDICAL PRODUCTS, INC.

By its authorized representative,



Eddie McCafferty

By its attorneys,



Michael A. Collora (BBO No. 092940)

Michael B. Galvin (BBO No. 630515)

DWYER & COLLORA, LLP

600 Atlantic Avenue

Boston, Massachusetts 02210-2211

Tel: 617-371-1000

Fax 617-371-1037

Dated: September <sup>17</sup>\_\_, 2004